

EXHIBIT M

CASE # 18CD16001

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

§

CITY OF MCKINNEY

TXI OPERATIONS LP,
D/B/A MARTIN MARIETTA

§

COLLIN COUNTY, TEXAS

TO ANY PEACE OFFICER OF THE STATE OF TEXAS – GREETINGS:

YOU ARE HEREBY COMMANDED TO SUMMON TXI OPERATIONS, LP, D/B/A/ MARTIN MARIETTA, an Association under the laws of the State of Texas, to have the Association appear by counsel (see Tex. Code Crim. Proc. art 17A.07(a)) before the Municipal Court of the City of McKinney, Collin County, Texas, at or before 10:00 a.m. on the Monday next after the expiration of 20 days from the date of service of this Summons, then and there to answer to the State of Texas by and through the City of McKinney for a misdemeanor offense committed by the Association, as Defendant, against an ordinance of said city, to wit: **UNREASONABLE NOISE, CODE OF ORDINANCES, CITY OF MCKINNEY § 70-56(a)**, of which offense the Defendant is accused by written complaint, under oath by Stephen Fagen, Prosecutor, City of McKinney.

HEREIN FAIL NOT, and make due return hereof, showing how you executed the same.

WITNESS my official signature, this 13th day of November, 2018.



Judge, Municipal Court
City of McKinney
Collin County, Texas

.....
OFFICER'S RETURN

Came to hand the _____ day of _____, 20____, at _____ o'clock _____m., and executed the _____ day of _____, 20____ at _____ o'clock _____m. by ☐ Sending by certified mail to a registered agent for service of process for the agent; ☐ Personally delivering a copy of this Summons to the high managerial agent named in the summons; ☐ Personally delivering a copy of this Summons to _____, an employee of suitable age and discretion at a place where business of the association is regularly conducted and after diligently but unsuccessfully attempting to effect service on the high managerial agent named in the Summons; ☐ Personally delivering a copy of this Summons to _____, a member of the association and after diligently but unsuccessfully attempting to effect service on the high managerial agent named in the Summons or an employee of suitable age and discretion;

Returned on this the _____ day of _____, 20____.



Peace Officer's Signature



CITY OF MCKINNEY
MUNICIPAL COURT
130 S. CHESTNUT STREET
MCKINNEY, TEXAS 75069
972-547-7676

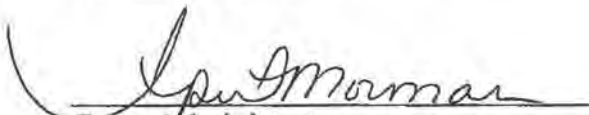
November 13, 2018

I, April Morman, Court Administrator for the City of McKinney, Texas, hereby certify that the attached page is a true and correct copy of the

- Complaint

The above records are for case # 18CD16001 for the offense of Disorderly Conduct – Loud Noise, a Class C Misdemeanor, filed against TXI Operations LP, D/B/A Martin Marrieta on September 4th, 2018 by Officer Raymond Durrett.

To certify which, witness my hand and seal of office this 13th day of November 2018.


Court Administrator,
City of McKinney Municipal Court



COMPLAINT

DOCKET # 18CD16001
DISORDERLY CONDUCT - LOUD NOISE

CITATION # 18CD160

STATE OF TEXAS
VS.
TXI OPERATIONS, LP d/b/a MARTIN MARIETTA

IN THE MUNICIPAL COURT
CITY OF MCKINNEY
COUNTY OF COLLIN, TEXAS

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS I, the undersigned affiant, do solemnly swear that I have good reason to believe and do believe that TXI OPERATIONS, LP d/b/a MARTIN MARIETTA, hereinafter referred to as defendant, on or about September 4, 2018, and before the making and filing of this complaint, within the territorial limits of the City of McKinney, Collin County, Texas, to wit: 2005 SOUTH MCDONALD STREET,

did then and there allow, make, or cause to be made an unreasonably loud or disturbing noise, to wit: BY OPERATING AND PERMITTING TO BE OPERATED A CONVEYOR BELT, CEMENT MIXER, AND AIR COMPRESSOR BETWEEN 10:00 P.M. AND 7:00 A.M. WITHIN 500 FEET OF A QUIET ZONE, that was offensive to the sensibilities of a reasonable, prudent adult person, rendered the enjoyment of life or property uncomfortable, and interfered with public peace and comfort, contrary to Code of Ordinances, City of McKinney § 70-120(a),

AGAINST THE PEACE AND DIGNITY OF THE STATE.


AFFIANT

SWORN AND SUBSCRIBED BEFORE ME BY AFFIANT

THIS _____ DAY OF _____,

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

OR


COURT CLERK/DEPUTY COURT CLERK

DATE 10-8-15





City of McKinney
Code Enforcement Citation # 18-CD160

<input checked="" type="checkbox"/> Initial Citation	<input type="checkbox"/> Subsequent Citation	Certified Mail #	
Date of Violation: 09/04/2018	Time Violation Observed: 6:40 AM	# Violations Observed: 1	
Full Name: TXI Operations, LP d/b/a Martin Marietta			
Mailing Address: 1341 West Mockingbird Lane, Suite 700			
City: Dallas	State: Texas	Zip Code: 75247	Phone: 972-948-0811
Race:	<input type="checkbox"/> African American <input type="checkbox"/> Hispanic <input type="checkbox"/> Asian / Pacific Islander <input type="checkbox"/> White <input type="checkbox"/> Middle Eastern <input type="checkbox"/> Native American <input type="checkbox"/> Unknown	Gender: <input type="checkbox"/> Female <input type="checkbox"/> Male	
Date of Birth:	Driver's License #:	State:	
Location of Violation: 2005 SOUTH MCDONALD STREET			Pictures attached: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No


- ☐ **City Code Section 70-55(a):** Prohibited accumulation of trash, debris, brush, stagnant water, or other objectionable or unsightly matter on property.
- ☐ **City Code Section 70-56(a):** Vegetation on property exceeding twelve (12) inches in height.
Description:
- ☐ **City Code Section 146-130(7)(c):** No boat, trailer, camper trailer, motor home, or other such recreational vehicle shall be parked or stored in the front yard. The parking or storage of such vehicles is limited to the rear yard ONLY.
- ☐ **City Code Section 146-130(7)(c):** The parking or storage of a boat, trailer, camper trailer, motor home or other such recreational vehicle is limited to a maximum of ONE pleasure boat and ONE UNOCCUPIED trailer or motor home designed for recreational use not to exceed 24 feet in length.
- ☐ **City Code Sections 62-620 – 62-622:** Maintaining a public nuisance (junked vehicle) on property.

Make:	Model:	Color:	Year:
License Plate #:	State:	VIN #:	

- ☐ **City Code Section 122-175(a)(1):** It shall be unlawful for any person to install or cause to be installed or to permit any person to install a fence, or to make any alterations, additions, or changes to a fence, without first having procured a permit.
- ☐ **City Code Section 122-179:** All fences shall be maintained so as to comply with code requirements, including not being more than 5% damaged or leaning 10 degrees from vertical.
- ☒ **Other Violation(s): Section 70-120(a): NOISE DISTURBANCE PROHIBITED**

Description: Concrete batch plant operations observed using conveyor belt, cement mixer, and air compressor between 10:00 p.m. and 7:00 a.m.

Please be advised that you have a charge filed against you for a city ordinance violation. Please refer to the summons attached to this notice for instructions on where and how to respond to this charge. Failure to respond to this charge may lead to other charges being filed against you and a warrant being issued for your arrest. Failure to correct the violations observed on the property could result in additional charges being filed and/or the City taking corrective action and applying a lien to the property.

Code Enforcement Officer: Raymond Durrett	Date: 09/05/2018
	
Officer's Signature:	Phone: 972-547-7414